

(3)

FILED

SEP - 2 2011

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES BANKRUPTCY COURT

EASTERN DISTRICT OF CALIFORNIA

In re:) Case No. 09-29162-D-11

SK FOODS, L.P.,)

Debtor.)

BRADLEY D. SHARP, Chapter 11)
Trustee,)

Adv. Pro. No. 10-2014-D
Docket Control No. FBM-1

Plaintiff,)

v.)

SCOTT SALYER, as trustee of the)
Scott Salyer Revocable Trust,)
et al.,)

Defendants.)

BRADLEY SHARP, et al.,)

Adv. Pro. No. 09-2692-D ✓
Docket Control No. FBM-1

Plaintiffs,)

v.)

SSC FARMS I, LLC, et al.,)

Defendants.)

BRADLEY SHARP, et al.,)

Adv. Pro. No. 10-2016-D
Docket Control No. FBM-1

Plaintiffs,)

v.)

SKF AVIATION, LLC, et al.,)

DATE: September 1, 2011
Time: 10:00 a.m.
Dept: D

Defendants.)

24

SECOND AMENDED PRELIMINARY INJUNCTION

The court having considered the Motion to Authorize Payment
of Fees and Costs of John Brincko, Docket Control No. FBM-1,
filed August 8, 2011 by defendants Scott Salyer as Trustee of the

1 Scott Salyer Revocable Trust, et al. (the "Motion"), together
2 with all documents filed in support of the Motion, in opposition
3 to the Motion, and in reply to the opposition, and having heard
4 the arguments of counsel at the hearing, and good cause
5 appearing,

6 IT IS HEREBY ORDERED:

7 1. The Motion is granted in part;
8 2. The Preliminary Injunction dated March 20, 2010, as
9 modified by the Order on Defendants' Motion to Modify Preliminary
10 Injunction dated October 13, 2010, as further modified by the
11 Amended Preliminary Injunction dated January 20, 2011, is hereby
12 amended to allow each defendant to pay reasonable fees and costs
13 for services rendered to that particular defendant by its
14 attorneys and other litigation professionals, including expert
15 witnesses, in connection with this adversary proceeding and the
16 bankruptcy case;

17 3. Each defendant shall maintain records adequate to verify
18 any payments made under this order and to whom, and shall provide
19 copies of those records to the Trustee and the Committee of
20 Unsecured Creditors on a monthly basis;

21 4. If substantive consolidation of any defendant with the
22 debtor is hereafter ordered, the fees and costs paid under this
23 order will be subject to the court's review under 11 U.S.C. § 329
24 (but without the one-year limitation), and all amounts that
25 exceed the reasonable value of the services rendered and costs
26 paid will be subject to disgorgement under § 329(b).

27
28 Dated: September 2, 2011

Robert Bardwil
ROBERT S. BARDWIL
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

CERTIFICATE OF MAILING

The undersigned deputy clerk in the office of the United States Bankruptcy Court for the Eastern District of California hereby certifies that a copy of the document to which this certificate is attached was mailed today to the following entities at the addresses shown below or on the attached list.

Kelly A. Woodruff
Farella Braun and Martell
LLP
235 Montgomery St 17th Fl
San Francisco CA 94104

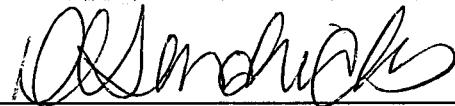
Kevin Coleman
Schnader Harrison Segal
and Lewis LLP
One Montgomery St #2200
San Francisco CA
94104-5501

Todd J. Dressel
Chapman and Cutler LLP
595 Market St 26th Fl
San Francisco CA 94105

James E. Spiotto
Chapman and Cutler LLP
111 W Monroe St
Chicago IL 60603

DATED: 9/2/11

By:



Deputy Clerk